

Receipt

GLM:tjj 02/15/01 4239-54279 E-059-00/0



PATENT
Attorney's Matter No. 4239-54279

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Dougherty et al.

Application No. 09/595,580

Filed: June 15, 2000

For: QUANTIFYING GENE RELATEDNESS
VIA NONLINEAR PREDICTION OF GENE
EXPRESSION LEVELS

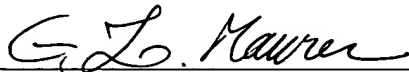
Art Unit: 2857

Examiner:

Date: February 15, 2001

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper or fee referred to as being attached or enclosed) is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Office of Initial Patent Examination Customer Service Center, COMMISSIONER FOR PATENTS, Washington, DC 20231 on 2/15/2001.



Attorney for Applicant(s)

REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT

Office of Initial Patent Examination
Customer Service Center
COMMISSIONER FOR PATENTS
Washington, DC 20231

Sir:

The undersigned has received the official Filing Receipt for the above-identified application as a copy (with requested correction shown in red ink) is attached as Exhibit A.

The following error(s) appears on the Filing Receipt:

In Inventor Chen's name and residence, please correct his name and residence to read Yidong Chen, Rockville, MD--.

In the Applicants, please add --Krishnamoorthy Sivakumar, Pullman, WA--.

In the title, please correct it to read --Quantifying Gene Relatedness via Nonlinear Prediction of Gene Expression Levels--.

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A copy of the Combined Declaration and Power of Attorney showing the correct name and residency of Yidong Chen, Inventor Krishnamoorthy Sivakumar, and the correct title is attached as Exhibit B.

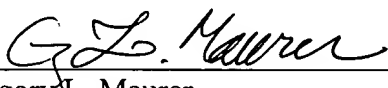
Applicants request that the above identified error(s) be corrected and that a new official Filing Receipt be issued.

If any further information is desired, please telephone the undersigned to expedite the supply of such information.

Respectfully submitted,

KLARQUIST SPARKMAN CAMPBELL
LEIGH & WHINSTON, LLP

By



Gregory L. Maurer
Registration No. 43,781

One World Trade Center, Suite 1600
121 S.W. Salmon Street
Portland, Oregon 97204
Telephone: (503) 226-7391
Facsimile: (503) 228-9446



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Dougherty et al.

Art Unit: 2857

Application No. 09/595,580

CERTIFICATE OF MAILING


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For: QUANTIFYING GENE RELATEDNESS
VIA NONLINEAR PREDICTION OF
GENE EXPRESSION LEVELS

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service on February 15, 2001, as First Class Mail in an envelope addressed to: Office of Initial Patent Examination, Customer Service Center, COMMISSIONER FOR PATENTS, WASHINGTON D.C. 20231.

Examiner:

Date: February 15, 2001


Attorney for Applicant

TRANSMITTAL LETTER

Office of Initial Patent Examination
Customer Service Center
COMMISSIONER FOR PATENTS
Washington, DC 20231

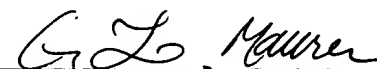
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Enclosed for filing in the application referenced above are the following:

- ☒ Request for Corrected Filing Receipt
- ☒ Exhibit A and B
- ☒ The Director is hereby authorized to charge any additional fees that may be required, or credit over-payment, to Account No. 02-4550. A copy of this sheet is enclosed.
- ☒ Please return the enclosed postcard to confirm that the items listed above have been received.

Respectfully submitted,

KLARQUIST SPARKMAN CAMPBELL
LEIGH & WHINSTON, LLP

By 
Gregory L. Maurer
Registration No. 43,781

One World Trade Center, Suite 1600
121 S.W. Salmon Street
Portland, Oregon 97204
Telephone: (503) 226-7391
Facsimile: (503) 228-9446

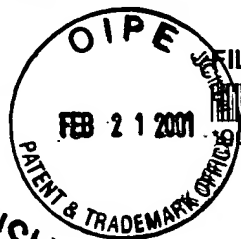


UNITED STATES PATENT AND TRADEMARK OFFICE

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 WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/595,580	06/15/2000	2857	2138	4239-54279	27	61	10

Klarquist Sparkman Campbell Leigh & Winston LLP
 One World Trade Center Ste 1600
 121 S W Salmon St
 Portland, OR 97204



FILING RECEIPT



C000000005525159

PREVIOUSLY DOCKETED

Date Mailed: 11/02/2000

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Edward R. Dougherty, College Station, TX ; ✓
 Seungchan Kim, College Station, TX ; ✓
 Michael L. Bittner, Rockville, MD ; ✓
 Yidong Chen, Rockville, MD CHINA;
 Krishnamoorthy Sivakumar, Pullman, WA

Continuing Data as Claimed by Applicant

Foreign Applications

If Required, Foreign Filing License Granted 08/10/2000

Title

Quantifying gene relatedness via nonlinear prediction of gene *expression levels*

Preliminary Class

702

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Data entry by : ARMSTEAD, LORRAINE

Team : OIPE

Date: 11/02/2000

Exhibit A

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**



GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 36 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

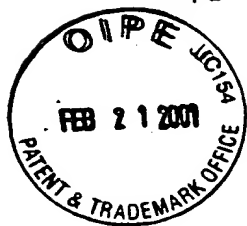
PLEASE NOTE the following information about the Filing Receipt:

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 600 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, DC 20231

COMBINED DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION



As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **QUANTIFYING GENE RELATEDNESS VIA NONLINEAR PREDICTION OF GENE EXPRESSION LEVELS**, the specification of which

- ☐ is attached hereto.
- ☒ was filed on June 15, 2000 as Application No. 09/595,580.
- ☐ was described and claimed in PCT International Application No. _____, filed on _____, and as amended under PCT Article 19 on _____ (if applicable).
- ☐ and was amended on _____ (if applicable).
- ☐ with amendments through _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56. If this is a continuation-in-part application filed under the conditions specified in 35 U.S.C. § 120 which discloses and claims subject matter in addition to that disclosed in the prior copending application, I further acknowledge the duty to disclose material information as defined in 37 CFR § 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or of an PCT International application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT International application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) on which priority is claimed:

Prior Foreign Application(s)			Priority Claimed
<< Number >>	<< Country >>	<< Day/Month/Year filed >>	<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

_____	_____
(Application No.)	(Filing Date)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or § 365(c) of any PCT International application(s) designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT International filing date of this application:

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(Application No.)	(Filing Date)	(Status: patented, pending, abandoned)

The undersigned hereby authorizes the U.S. attorney or agent named herein to accept and follow instructions from _____ as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorney or agent and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorney or agent named herein will be so notified by the undersigned.

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application, to file a corresponding international application, and to transact all business in the Patent and Trademark Office connected therewith:

Name	Reg. No.	Name	Reg. No.
James C. Haight	25,588	Jack Spiegel	34,477
Robert Benson	33,612	David R. Sadowski	32,808
Susan S. Rucker	35,762	Steven Ferguson	38,448
John Peter Kim	38,514	Joseph K. Hemby	42,652
Stephen L. Finley	36,357	Marlene Shinn	46,005
Richard R. Rodriguez	45,980		

with an Associate Power of Attorney to the following:

Name	Reg. No.	Name	Reg. No.
Richard J. Polley	28,107	Lisa M. Caldwell	41,653
William D. Noonan	30,878	Michael D. Jones	41,879
Mark L. Becker	31,325	Tanya M. Harding	42,630
Donald L. Stephens Jr.	34,022	Gregory L. Maurer	43,781
Stacey C. Slater	36,011	Paula A. DeGrandis	43,581
Susan Alpert Siegel	43,121	Samuel E. George	44,119

all of the law firm of Klarquist Sparkman Campbell Leigh & Winston, LLP.

Address all telephone calls to Gregory L. Maurer, telephone number 503/226-7391 and facsimile number 503/228-9446.

Address all correspondence to:

KLARQUIST SPARKMAN CAMPBELL
LEIGH & WHINSTON, LLP
One World Trade Center, Suite 1600
121 SW Salmon Street
Portland, OR 97204-2988

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole or first Inventor: Edward R. Dougherty

Inventor's Signature _____

Date

Residence: College Station, TX

Citizenship: U.S.A.

Post Office Address: 3101 Westchester Ave., College Station, TX 77845

Full Name of Second Joint Inventor, if any: Seungchan Kim

Inventor's Signature _____

Date

Residence: College Station, TX

Citizenship: Korea (R.O.K.; South Korea)

Post Office Address: 1 Hensel Drive #X3L, College Station, TX 77840

Full Name of Third Joint Inventor, if any: Michael L. Bittner

Inventor's Signature _____

Date

Residence: Rockville, MD

Citizenship: U.S.A.

Post Office Address: 15 Lodge Place, Rockville, MD 20850

Full Name of Fourth Joint Inventor, if any: Yidong Chen

Inventor's Signature _____

Date

Residence: Rockville, MD

Citizenship: P.R. China

Post Office Address: 2888 Balmoral Drive, Rockville, MD 20850

Full Name of Fifth Joint Inventor, if any:

Krishnamoorthy Sivakumar

Inventor's Signature

K. Sivakumar

Sept. 07, 2000

Date

Residence: Pullman, WA

Citizenship: India

Post Office Address: 1615 SE Bleasner Drive, #59, Pullman, WA 99163

**COMBINED DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION**



As a below named inventor, I hereby declare that:

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Richard R. Rodriguez	45,980		

with an Associate Power of Attorney to the following:

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William D. Noonan	30,878	Michael D. Jones	41,879
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LEIGH & WINSTON, LLP
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Full Name of Sole or first Inventor: Edward R. Dougherty

Inventor's Signature _____

Date

Residence: College Station, TX

Citizenship: U.S.A.

Post Office Address: 3101 Westchester Ave., College Station, TX 77845

Full Name of Second Joint Inventor, if any: Seungchan Kim

Inventor's Signature _____

Date

Residence: College Station, TX

Citizenship: Korea (R.O.K.; South Korea)

Post Office Address: 1 Hensel Drive #X3L, College Station, TX 77840

Full Name of Third Joint Inventor, if any: Michael L. Bittner

Inventor's Signature _____

Michael L Bittner

10/3/00
Date

Residence: Rockville, MD

Citizenship: U.S.A.

Post Office Address: 15 Lodge Place, Rockville, MD 20850

Full Name of Fourth Joint Inventor, if any: Yidong Chen

Inventor's Signature _____

Yidong Chen

10/3/00
Date

Residence: Rockville, MD

Citizenship: P.R. China

Post Office Address: 2888 Balmoral Drive, Rockville, MD 20850

Full Name of Fifth Joint Inventor, if any: Krishnamoorthy Sivakumar

Inventor's Signature _____

Date

Residence: Pullman, WA

Citizenship: India

Post Office Address: 1615 SE Bleasner Drive, #59, Pullman, WA 99163